

REMARKS

The applicant appreciates the examiner's review of the prior art and the present application. The applicant requests reconsideration of the pending claims in view of the following remarks. The applicant has amended independent claims 1, 12, and 20 to their original form; namely, they have been amended to read that the support member is movable relative to the shaft (as opposed to moveable at a rate different from the shaft). The applicant has cancelled claim 37-43. Claims 1-25 are currently pending in the application.

The applicant would also like to thank the examiner for the telephone interview of August 2, 2007. During the interview, the examiner and the applicant's attorneys discussed the meaning of the phrase "movable relative to the shaft." The applicant's attorneys provided the examiner with definitions of phrase "relative movement" in an attempt to further clarify the movement that occurs between the support member and the shaft. In particular, the applicant's attorneys provided the examiner with definitions that define the term "relative movement" as movement with respect to another object and/or movement compared to another object. The examiner maintained his position that the phrase "relative movement" meant movement that is related to another object. Thus, he concludes that even if two objects move the exact same way (e.g., at the same speeds), they move relative to each other. No agreement, thus, was reached on that point.

Additionally, the applicant's attorneys and the examiner discussed the structure and movement of the support member and shaft in GB 2083953 (Slack et al., hereinafter "Slack"). In particular, the applicant's attorneys directed the examiner's attention to page 2, left-side column, lines 20-36 and 52-58. These passages state that Slack's support member is press-fit within a recess and makes only point contact with the shaft. The applicant's attorneys then explained that these passages show that Slack's support member is not moveable because it is press-fit within the recess. The examiner indicated that he would review the Slack reference in light of these passages.

35 U.S.C. §112

The office action rejected Claims 1, 12 and 20 under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Specifically, the office action suggests that the phrase “the movable support member being movable at a rate different than that of the shaft” is not described in the specification in such a way as to reasonably convey to one skilled in the art that the inventor(s), at the time the application was filed, had possession of the claimed invention. As mentioned above, Applicant has amended claims 1, 12, and 20 to remove this language. Therefore, this rejection is moot.

35 U.S.C. §102(b)

The office action rejects claims 1-4, 6-25, and 37-43 as being anticipated under 35 USC §102(b) by US Patent No. 5,710,678 (Leuthold et al., hereinafter “Leuthold”). As mentioned above, Applicant has cancelled claims 37-43. Therefore, the rejection as to claims 37-43 is now moot and will not be addressed in this response

Amended claim 1 defines, in relevant part, a motor having a moveable support member supporting a shaft. The moveable support member moves relative to the shaft during motor operation. As is known in the art, the phrase “relative movement” means movement with respect to or compared to another object. Therefore, according to amended claim 1, the support member moves with respect to or compared to the shaft. In other words, there has to be some difference in movement between the support member and the shaft.

Leuthold fails to teach such a motor. Rather, Leuthold teaches a motor having a support member that is fixed to the end of the shaft (Col. 8, lines 12-13). Therefore, because the support member is fixed to the shaft, the support member will rotate and move *with* and *at the same rate* as the shaft, not relative or with respect to the shaft, as required by amended claim 1. In other words, the support member does not move relative to the shaft.

During the interview of August 2, 2007, the examiner suggested that the movement of Leuthold’s support member is related to the movement of the shaft

because it is fixed to the shaft. Applicant agrees. However, that is an incomplete, overly broad definition. Instead, as shown in the application, relative movement means that two objects move at different rates. This is precisely described in the last sentence of page 11, which states: "Lubricant contained within the cavity 320 may ease the relative movement between the support member 330 and the shaft lower end 224." Clearly, the purpose for having lubricant between the support member and the shaft is to reduce friction when they move relative to one another. If they moved at the same rate, it would be undesirable to have lubricant between the parts.

In Leuthold, because the support member is fixed to the shaft, movement of one will create *equal* movement in the other (e.g., the rotation of the shaft will create identical rotation of the support member). Therefore, although Leuthold's movement is related (e.g., in the sense that movement of one causes movement of the other), the movement of the support member and the shaft are not necessarily relative or with respect to one another. Accordingly, amended claim 1 is allowable over Leuthold. Moreover, claims 2-11, which depend from claim 1, are allowable for at least the same reasons.

In a manner similar to amended claim 1, amended claims 12 and 20, also define a motor with a support member that moves relative to a shaft. Accordingly, claims 12 and 20 are also allowable over Leuthold for the same reasons as discussed above with regard to claim 1. Moreover, dependent claims 13-19 and 21-25, which depend from claims 12 and 20, respectively, are also allowable for at least the same reasons.

The office action rejects claims 1, 5, and 12 as being anticipated under 35 USC §102(b) by UK Patent Application GB 2083953 (Slack et al., hereinafter "Slack").

As discussed above, amended claim 1 defines a motor with a moveable support member that moves relative to a shaft during motor operation.

Slack fails to teach such a motor. Rather, Slack teaches a motor having a stationary support member (i.e., it is not moveable). In particular, Slack's support member is press-fit into a recess 30 in a thrust plate 28 (page 2, left column, lines 20-36).

The thrust plate 28, in turn, is secured to the motor body via a washer 32 and an end cover 34. As is known in the art, a “press-fit” is a method of fastening two parts by creating friction between the parts as they are pushed together. The resulting compressive and tensile forces between the parts (e.g., the support member and the thrust plate) hold the parts together. In other words, Slack’s support member is essentially fixed to the thrust plate and is unable to move because of the tensile and compressive forces created by the press-fit. Therefore, Slack’s support member is not moveable as required by amended claim 1. Accordingly, claim 1 is allowable over Slack. Moreover, claim 5, which depends from claim 1, is allowable for at least the same reasons.

In a manner similar to amended claim 1, amended claim 12, also defines a motor with a moveable support member. Accordingly, claim 12 is also allowable over Slack for the same reasons as discussed above with regard to claim 1.

All pending claims therefore are allowable over the cited art. The application therefore is in condition for allowance and such action is earnestly solicited. Applicant believes that a one month extension of time is required and requests that the associated fee be charged to Deposit Account No. 19-4972. In addition, please charge any addition fees required by this paper or credit any overpayment to Deposit Account No. 19-4972. Applicant also requests that the examiner contact the applicant’s attorney, Jonathan Lovely, for an interview if it will assist in processing this application through issuance.

Respectfully submitted,

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